

Application No. 09/454,755
Office Action dated 7/27/04
Response to O.A. After Final dated 09/03/04

REMARKS

Claims 1, 2, 4-11, 13-20 and 22-30 are pending and stand rejected. The pending claims are believed to patentably define over the Vyncke prior art in view of the following remarks concerning the recitation defining Applicants' claimed invention.

The rejection reason to all the independent claims 1, 10, 19, 28, 29 and 30 relies on the sentence that "Although the circle completely covers a triangle 212, the circle is not opaque (solid), so the triangle is not actually hidden but shows through." In column 8, lines 37-39 of Vyncke. However, this sentence merely states that the triangle is not hidden by the circle because the circle is not opaque, and this sentence neither discloses nor suggests that a new single object including the triangle and the circle is generated. This sentence is included in a section in column 8, lines 28-57 which teaches only a method for merely deleting hidden objects. Especially, the sentences of "FIG. 8b shows the procedure for identifying and eliminating hidden objects." in line 42 and "This procedure applied to the image shown in FIG. 8a will delete only the square." in line 57 apparently indicate that no modification other than deleting the square 208 is made.

The prior art neither discloses nor suggests Applicant's invention, and the rejection reason is based on the misreading of Vyncke and is wrong as discussed above. Regarding claims 1, 10 and 19, these claims recite that a new merged object generated includes at least a first source object having an area and a second object having an area. On the other hand, Fig. 8 of Vyncke merely shows that the square 208 is hidden behind the square 206. The square 208 and the square 206 are not merged into one object. Therefore, Vyncke does not disclose that a new merged object generated includes at least a first source object having an area and a second object having an area. Regarding claims 28-30, the Examiner alleges that he notes "other values may


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be used without deviating from the scope of the invention" (column 9, line 40-41 of Vyncke).
However, according to Vyncke "Blends are identified by scanning the database for a sequence of at least five objects, each of which is close in color and position to its adjacent objects, meaning that their bounding boxes at least touch each other and that any of the ink components of their colors do not differ by more than a predefined value, typically 2% to 3%."

If the examiner would like to discuss Applicant's invention prior to issuing an action, the Examiner should feel free to contact the undersigned attorney. In view of the foregoing, Applicant respectfully requests allowance of pending claims 1, 2, 4-11, 13-20 and 22-30.

Respectfully submitted,

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